



COPY OF PAPERS  
ORIGINALLY FILED

DAC #5  
PATENT ✓

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Tadashi Aiura et al.  
Application No. : 09/341,339  
Filed : August 30, 1999  
For : METHOD AND APPARATUS FOR POLISHING INNER  
SURFACE OF CYLINDRICAL PORTION OF  
ELONGATED CYLINDRICAL WORK AND ELONGATED  
CYLINDRICAL WORK  
Attorney's Docket : AK-284XX

\*\*\*\*\*  
I hereby certify that this correspondence is being deposited with  
the United States Postal Service as first class mail in an  
envelope addressed to: Commissioner for Patents, Washington, D.C.  
20231 on 4-12-2.

By: Charles L. Gagnebin III  
Charles L. Gagnebin III  
Registration No. 25,467  
Attorney for Applicant(s)

\*\*\*\*\*

PETITION TO REVIVE  
UNINTENTIONALLY ABANDONED APPLICATION  
UNDER 37 C.F.R. § 1.137(b)

Commissioner for Patents  
Washington, D.C. 20231

RECEIVED

APR 24 2002

OFFICE OF PETITIONS

Sir:

Applicant hereby petitions to revive the above-identified  
abandoned application under 37 C.F.R. § 1.137(a) or in the  
alternative § 1.137(b).

This application was filed on July 8, 1999. A signed  
Declaration was filed August 30, 1999, with a request for a  
correction to a transliterations error in one inventor's name.

04/23/2002 GTEFFERA 00000044 09341339

01 FC:141

1280.00 OP

WEINGARTEN, SCHURGIN,  
GAGNEBIN & LEBOVICI LLP  
TEL. (617) 542-2290  
FAX. (617) 451-0313

The Patent and Trademark Office in an action of November 4, 1999 dismissed the requested correction without setting any response time. At that time, the filing requirements were deemed satisfied as all elements from the notice of July 30, 1999 were addressed.

The entire delay in filing the explanation for the name error from the due date of completing the application of November 11, 1999 until the filing of this petition was unintentional and unavoidable.

It is additionally asserted that the dismissal of the name correction was incorrectly used to create a failure to complete the filing requirements.

It was discovered on March 19, 2002, that no action has been received on this application and we were unaware that the application was abandoned until a telephone call was made to the PCT Help Desk on March 19, 2002. The Decision on Request of November 4, 1999 from the U.S. Patent and Trademark Office did not indicate that the Declaration filed on August 30, 1999 was defective and the Decision did not give a response time to refile the appropriate Petition to Change Name nor did it indicate that the filing requirements had not been met. It was believed that the requirements of 35 U.S.C. 371 in filing the Declaration with the correct name and our letter explaining the translation error on August 30, 1999 was adequate to complete the filing. We did not docket a firm date to file the Petition to Change Name as we planned to correct this clerical issue during the prosecution of the case. This application was not picked up by our status check procedures since at the time we were in the process of changing our status check procedures from a manual to automatic system and this case fell into an unanticipated area of procedures where the manual and automatic systems failed to overlap.

We have received and enclose signed explanations from the inventor and the translator regarding the English translation (transliteration) of the inventor's first name, explaining the problem as clearly a translation error. The inventor, Tadashi Aiura, was not concerned with the English transliterated spelling of his name throughout the prosecution in Japan because the documents are in Japanese Hiragana and Chinese characters. He became aware of the misspelling when signing the Declaration for the U.S. national phase of PCT/JP98/04494.

Enclosed are the following declarations:

Declaration of Mary Ellen Shea, Declaration of Bette J. Bernard and Declaration of Constance C. Gagnebin, demonstrating the unexpected lapse in the status check coverage are enclosed.

A Terminal Disclaimer is being executed and will be submitted as soon as possible; the declaration and power of attorney with the correct transliteral characters was sent in previously on August 30, 1999, and attached as Exhibit A.

The petition fee of \$1280.00 pursuant to 37 C.F.R. § 1.17(m) is submitted herewith. The Commissioner is hereby authorized to charge Deposit Account No. 23-0804 for any additional filing fees associated with this communication or credit any overpayment.

Application No. 09/341,339

Filed: August 30, 1999

Please contact the undersigned with any questions or other matters regarding this Petition or this application. Revival is requested.

Respectfully submitted,

TADASHI AIURA ET AL.

By: 

Charles L. Gagnebin III  
Registration No. 25,467  
Attorney for Applicant(s)

WEINGARTEN, SCHURGIN,  
GAGNEBIN & LEBOVICI LLP

Ten Post Office Square  
Boston, MA 02109  
Telephone: (617) 542-2290  
Telecopier: (617) 451-0313

CLG:mes/269342-1  
Enclosures

9/97 FORM 11



Sheet 1 of 4

Attorney Docket No.: AK-284XX

DECLARATION AND POWER OF ATTORNEY

Exhibit A

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHOD AND APPARATUS FOR POLISHING INTERNAL SURFACE OF LONG SIZED CYLINDRICAL WORKPIECES AND LONG SIZED CYLINDRICAL WORKPIECES

the specification of which (check one):

☐ is attached hereto. ☒ was filed July 8, 1999s Application No. 09/341,339 amended on \_\_\_\_\_ (if applicable).

☒ was filed as PCT International Application No. PCT/JP98/04494 on 05 October 1998, and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

I hereby claim foreign priority benefits under Title 35, USC §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>	<u>Date Filed</u>	<u>Priority Claimed</u>
<u>9-325215</u> (Number)	<u>10 November 1997</u> (Day/Month/Year)	<input checked="" type="checkbox"/> Yes
<u>Japan</u> (Country)		<input type="checkbox"/> No
_____ (Number)	_____ (Day/Month/Year)	<input type="checkbox"/> Yes
_____ (Country)		<input type="checkbox"/> No

I hereby claim the benefit under Title 35, USC §119(e) of any United States provisional application(s) listed below:

_____ (Application Number)	_____ (Filing Date)
_____ (Application Number)	_____ (Filing Date)
_____ (Application Number)	_____ (Filing Date)
_____ (Application Number)	_____ (Filing Date)

Express Mail Number

EL23111 338205

Attorney

Docket No.: AK-28X4XX

I hereby claim the benefit under Title 35 USC §120 of any United States application(s) listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 USC §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application No.)

(Filing Date)

(Patented/pending/abandoned)

(Application No.)

(Filing Date)

(Patented/pending/abandoned)

(Application No.)

(Filing Date)

(Patented/pending/abandoned)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) to prosecute this application and transact all business connected therewith in the Patent and Trademark Office, and to file with the USPO any International Application based thereon.

Stanley M. Schurgin, Reg. No. 20,979

Charles L. Gagnebin III, Reg. No. 25,467

Paul J. Hayes, Reg. No. 28,307

Victor B. Lebovici, Reg. No. 30,864

Eugene A. Feher, Reg. No. 33,171

Beverly E. Hjorth, Reg. No. 32,033

Holliday C. Heine, Reg. No. 34,346

Gordon R. Moriarty, Reg. No. 38,973

Address all correspondence to:

WEINGARTEN, SCHURGIN, GAGNEBIN &amp; HAYES LLP

Ten Post Office Square

Boston, Massachusetts 02109

Telephone: (617) 542-2290

Telecopier: (617) 451-0313

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor: Tadashi Aiura		
City of Residence Shimonoseki-shi, Yamaguchi-ken 752-0953	State or Country Japan	Country of Citizenship Japan
Post Office Address c/o Chofu Seizosho, Kobe Steel, Ltd., 14-1, Chofuminato-machi	City Shimonoseki-shi, Yamaguchi-ken, 752-0953	State or Country Zip Code Japan
Signature: (Please sign and date in permanent ink.) X Tadashi Aiura		Date signed: X August 28, 1999

09/97 FORM 11

Sheet 3 of 4Attorney  
Docket No.: AK-284XX

Full Name of <u>Second</u> Joint Inventor: Katsuhiko Inoue		
City of Residence Shimonoseki-shi Yamaguchi-ken 752-0953	State or Country Japan	Country of Citizenship Japan
Post Office Address c/o Chofu Seizosho, Kobe Steel, Ltd., 14-1, Chofuminato-machi	City Shimonoseki-shi, Yamaguchi-ken, 752-0953	State or Country Zip Code Japan
Signature: (Please sign and date in permanent ink.) X Katsuhiko Inoue		Date signed: X August 28, 1999

Full Name of <u>Third</u> Joint Inventor: Toshihiko Sasaki		
City of Residence Shimonoseki-shi Yamaguchi-ken 752-0953	State or Country Japan	Country of Citizenship Japan
Post Office Address c/o Chofu Seizosho, Kobe Steel, Ltd., 14-1, Chofuminato-machi	City Shimonoseki-shi, Yamaguchi-ken, 752-0953	State or Country Zip Code Japan
Signature: (Please sign and date in permanent ink.) X Toshihiko Sasaki		Date signed: X August 28, 1999

Full Name of <u>Fourth</u> Joint Inventor: Kazuo Akagi		
City of Residence Shimonoseki-shi Yamaguchi-ken 752-0953	State or Country Japan	Country of Citizenship Japan
Post Office Address c/o Nissin Unyu Kogyo Co., Ltd., 14-1, Chofuminato-machi	City Shimonoseki-shi, Yamaguchi-ken, 752-0953	State or Country Zip Code Japan
Signature: (Please sign and date in permanent ink.) X Kazuo Akagi		Date signed: X August 28, 1999

08/97 FORM 11

She 4 of 4

Attorney  
Docket No.: AK-284XX

Full Name of <u>Fifth</u> Joint Inventor: Koji Takahashi		
City of Residence Shimonoseki-shi Yamaguchi-ken, 752-0953	State or Country Japan	Country of Citizenship Japan
Post Office Address c/Mo Nissin Unyu Kogyo Co., Ltd., 14-1, Chofuminato-machi	City Shimonoseki-shi, Yamaguchi-ken 752-0953	State or Country Zip Code Japan
Signature: (Please sign and date in permanent ink.) X <i>Koji Takahashi</i>		Date signed: X August 28, 1999

Full Name of _____ Joint Inventor:		
City of Residence	State or Country	Country of Citizenship
Post Office Address	City	State or Country Zip Code
Signature: (Please sign and date in permanent ink.) X		Date signed: X

Full Name of _____ Joint Inventor:		
City of Residence	State or Country	Country of Citizenship
Post Office Address	City	State or Country Zip Code
Signature: (Please sign and date in permanent ink.) X		Date signed: X






COPY OF PAPERS  
ORIGINALLY FILED

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Tadashi Aiura et al.  
Application No. : 09/341,339  
Filed : August 30, 1999  
For : METHOD AND APPARATUS FOR POLISHING  
INNER SURFACE OF CYLINDRICAL PORTION OF  
ELONGATED CYLINDRICAL WORK AND  
ELONGATED CYLINDRICAL WORK  
Attorney's Docket : AK-284XX

\*\*\*\*\*  
I hereby certify that this correspondence is being deposited with  
the United States Postal Service as first class mail in an  
envelope addressed to: Commissioner for Patents, Washington, D.C.  
20231 on 4-10-2.

By   
Charles L. Gagnebin III  
Registration No. 25,467  
Attorney for Applicant(s)

\*\*\*\*\*

DECLARATION OF MARY ELLEN SHEA

Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, the below-signing Mary Ellen Shea, declare and state:

I am employed at Weingarten, Schurgin, Gagnebin & Lebovici  
LLP and my title is Paralegal for U.S. filing of foreign  
applications. My duties include preparing the paperwork to file  
patent applications in the United States received from our foreign  
associates.

We received instructions from our Japanese associate on July 7, 1999, to enter the U.S. National Phase of PCT/JP98/04494 on or before July 10, 1999, without the signed declaration. At that time we were given the English translation of the first inventor as "Sunao Aiura". We filed the English translation of the PCT application on July 8, 1999, without the signed declaration and with the spelling of the first inventor as "Sunao Aiura". We sent a declaration to the associate on July 13, 1999, requesting them to have the declaration signed and returned to us for filing. On August 4, 1999, we sent a copy of the Notification of Missing Requirements to the associate and indicated that the signed declaration was due August 30, 1999, and then sent a reminder on August 27, 1999. On August 30, 1999, we received by fax the signed declaration with a cover letter with the following explanation:

"However, during the prosecution, the first inventor has found his name in wrong spelling in Roman character, i.e., 'Sunao Aiura'. The correct spelling of the name of the first inventor is 'Tadashi Aiura', not 'Sunao Aiura'. Maybe the error arise due to the misunderstanding of the person in charge, who is the employee of the applicant's company, at the filing of the basic PCT application."

On August 30, 1999, we filed the signed declaration with the correct spelling of "Tadashi Aiura" by Express Mail with a

transmittal letter, fee for filing a late declaration and a letter signed by Charles L. Gagnebin III, partner in this firm in charge of foreign matters, indicating the error in translating the inventor's name (Exhibit A).

On November 8, 1999, we received a Decision on Request from the U.S. Patent and Trademark Office (Exhibit B). Since the Decision On Request did not indicate that the oath was defective and did not indicate a due date for the Petition to Request a Change of the Name, we felt we had met the requirements of 35 U.S.C. 371 and docketed a soft date of December 4, 1999, to obtain further information to file the Petition to Request a Name Change at a later date during the prosecution of the application. We were prepared to correct this translation problem during the prosecution of the case since no time was given by the Patent Office to respond. During this time, our office was undergoing a change in our follow-up procedure and this case fell into an interim time period that was later discovered to not be receiving status checks.

As a result, our Docketing Consultant only brought this case to my attention on March 19, 2002 and in reviewing our file, I noted we had not received the PCT Acceptance or Filing Receipt. I

Filed: August 30, 1999

called the PCT Help Desk to determine the status of this case. I was told that the case was abandoned. We never received a Notice of Abandonment and never knew this case was abandoned. We believed we had met the 35 U.S.C. 371 requirements by filing the correct signed declaration.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

By: Mary Ellen Shea  
Mary Ellen Shea

Date: April 12, 2002

CLG:mes/269484-1



COPY OF PAPER  
ORIGINALLY FILED

Exhibit A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Tadashi Aiura, et al  
Application No. : 09/314,339  
Deposit Date : July 8, 1999  
Internat'l No. : PCT/JP98/04494  
Internat'l Filing : October 5, 1998  
For : METHOD AND APPARATUS FOR POLISHING  
INTERNAL SURFACE OF LONG SIZED  
CYLINDRICAL WORKPIECES AND LONG SIZED  
CYLINDRICAL WORKPIECES  
Attorney's Docket : AK-284XX

Group Art Unit:

\*\*\*\*\*  
I hereby certify that this correspondence is being deposited with  
the United States Postal Service as first class mail in an  
envelope addressed to: BOX PCT, Assistant Commissioner for  
Patents, Washington, D.C. 20231 on \_\_\_\_\_.

By: \_\_\_\_\_  
Charles L. Gagnebin III  
Registration No. 25,467  
Attorney for Applicants

\*\*\*\*\*  
LETTER RE TRANSLATION ERROR IN INVENTOR'S NAME

BOX PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The enclosed Declaration includes a correction in the  
spelling of inventor Aiura's first name. It was originally  
translated into the English characters "Sunao" but should have  
been translated to the English characters "Tadashi". This is not  
a change in inventorship. It is noted the address on the  
declaration is the same as the address on the enclosed copy of the  
PCT Gazette.

Application No. 09/341,339  
Deposit Date: July 8, 1999  
Group Art Unit:

R E M A R K S

The Examiner is encouraged to telephone the undersigned attorney to discuss any matter which would expedite allowance of the present application.

Respectfully submitted,

TADASHI AIURA, ET AL

By: 

Charles L. Gagnebin III  
Registration No. 25,467  
Attorney for Applicants

WEINGARTEN, SCHURGIN,  
GAGNEBIN & HAYES LLP  
Ten Post Office Square  
Boston, Massachusetts 02109

Telephone: (617) 542-2290  
Telecopier: (617) 451-0313

Date: 8-30-99

CLG:mes/210717



NOV 4 1999

COPY OF PAPERS  
ORIGINALLY FILED

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Patent Cooperation Treaty  
Legal Office

Exhibit B

Address: Assistant Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

AK-284XX

WEINGARTEN, SCHURGIN, GAGNEBIN & HAYES LLP  
Ten Post Office Square  
Boston, MA 02109

RECEIVED  
By [Signature]  
NOV 08 1999  
WEINGARTEN, SCHURGIN,  
GAGNEBIN & HAYES

In re Application of  
AUIRA et al.

Application No.: 09/341,339

PCT No.: PCT/JP98/04494

Int. Filing Date: 05 October 1998

Priority Date: 10 November 1997

For: METHOD AND APPARATUS FOR POLISHING  
INNER SURFACE OF CYLINDRICAL PORTION OF  
ELONGATED CYLINDRICAL WORK AND  
ELONGATED CYLINDRICAL WORK

DECISION

ON

REQUEST

This is a decision on the request regarding the correction of an inventor's name filed 30 August 1999, notifying the Office that the correct spelling of one of the applicants' names is as follows: TADASHI AIURA rather than SUNAO AIURA, as is indicated in the international application.

On 08 July 1998, within 20 months from the priority date of the international application, applicants filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, the requisite basic national fee; a surcharge fee for the filing of the oath/declaration later than twenty months from the priority date; and a translation of the international application into English.

On 30 August 1999, applicants filed a combined declaration and power of attorney executed by the named inventors and the present communication, explaining that the first name of one of the named inventors was misspelled in the international application.

As indicated in Section 201.03 of the Manual of Patent Examining Procedure, where a typographical or transliteration error in the spelling of an inventor's name is discovered, a petition under 37 CFR 1.48(a) is not required. However, in the instant application, applicants do not give an acceptable explanation of the difference in the spelling of the fifth named inventor's name. No explanation is given as to why the inventor did not note the incorrect translation of his first name in the published international application. It would appear that the

error is neither a typographical nor transliteration error. A petition to request a change of the name of the fifth named inventor is required with the appropriate petition fee under 37 CFR 1.17(h).

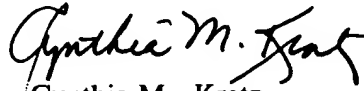
For the reasons above, the petition is **DISMISSED**.



Leonard E. Smith  
Legal Examiner  
PCT Legal Office

CMK/LES:cmk

Telephone: (703) 306-5467  
Facsimile: (703) 308-6459



Cynthia M. Kratz  
Petitions Attorney  
PCT Legal Office

Soft date  
12/14/99





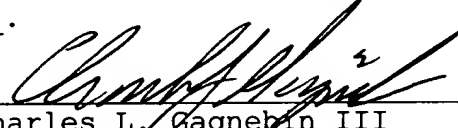
COPY OF PAPERS  
ORIGINALLY FILED

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Tadashi Aiura et al.  
Application No. : 09/341,339  
Filed : August 30, 1999  
For : METHOD AND APPARATUS FOR POLISHING  
INNER SURFACE OF CYLINDRICAL PORTION OF  
ELONGATED CYLINDRICAL WORK AND  
ELONGATED CYLINDRICAL WORK  
Attorney's Docket : AK-284XX

\*\*\*\*\*  
I hereby certify that this correspondence is being deposited with  
the United States Postal Service as first class mail in an  
envelope addressed to: Commissioner for Patents, Washington, D.C.  
20231 on 4-12-2.

By   
Charles L. Gagnebin III  
Registration No. 25,467  
Attorney for Applicant(s)

\*\*\*\*\*

DECLARATION OF BETTE J. BERNARD

Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Bette J. Bernard, declare and state:

I am the Docketing Paralegal for Weingarten, Schurgin,  
Gagnebin & Lebovici LLP and have been for many years. My duties  
include entering the incoming mail and docketing into our  
database. On November 8, 1999 we received a decision on Request  
for Correction of Inventor's Name from the Patent Office which  
indicated our Petition had been "dismissed". Since there was no

Filed: August 30, 1999

mention of a time given to respond or that the dismissal had any effect on the standing of the application, I docketed a one month date of December 4, 1999 (Exhibit A) for a Petition to Request Change of Name of Inventor as a set date meaning that it is only an advisory and not an indication of required action. When this date came due on our docket, I so informed the Paralegal in charge of the case, Mary Ellen Shea.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

By: Bette J. Bernard  
Bette J. Bernard

Date: 4/12/2002

CLG:mes/269477

RECEIVED

APR 24 2002

OFFICE OF PETITIONS

COPY OF PAPERS  
ORIGINALLY FILED

Exhibit A

Data Entry Output Leave

DATA INPUT

Date Rcvd/Sent: 11/08/99 (P) : I Maint/Annuity/Renewal (M/A/R/S/\_):  
From : PATENT OFFICE To : WSGH  
AK P 284 X X  
Client Code P/T/C/O D.No. RCC CC

DECISION ON REQUEST FOR CORRECTION OF INVENTOR'S NAME (DISMISSED)

Description of Document Sent or Received

Run from Date : Completed : 1/01/1

Compl. Desc. :

PETITION TO REQUEST CHANGE OF NAME OF INVENTOR (S/N 09/341,339)

Description of Docketable Event

Docket Date Date Description (i.e. 3 MO DATE; 30 DAYS; PRIORITY)

1) 12/04/99 SOFT DATE

2)

3)

4)

5)

Partner : CLG

2nd Attorney :

13 of 20

RECEIVED

APR 24 2002

OFFICE OF PETITIONS



COPY OF PAPERS  
ORIGINALLY FILED


PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Tadashi Aiura et al.  
 Application No. : 09/341,339  
 Filed : August 30, 1999  
 For : METHOD AND APPARATUS FOR POLISHING  
 INNER SURFACE OF CYLINDRICAL PORTION OF  
 ELONGATED CYLINDRICAL WORK AND  
 ELONGATED CYLINDRICAL WORK  
 Attorney's Docket : AK-284XX

\*\*\*\*\*  
 I hereby certify that this correspondence is being deposited with  
 the United States Postal Service as first class mail in an  
 envelope addressed to: Commissioner for Patents, Washington, D.C.  
 20231 on 4-12-2.

By

  
 Charles L. Gagnebin III  
 Registration No. 25,467  
 Attorney for Applicant(s)

\*\*\*\*\*

DECLARATION OF CONSTANCE C. GAGNEBIN

Commissioner for Patents  
 Washington, D.C. 20231

Sir:

I, the below-signing Constance C. Gagnebin, declare and  
 state:

I am employed at Weingarten, Schurgin, Gagnebin & Lebovitz  
 LLP and my title is Docketing Consultant.

I have been checking the dockets since 1982 by manually  
 checking each docket and confirming correct docketing of docket  
 dates as well as filing receipts, Information Disclosure

RECEIVED

APR 24 2002

OFFICE OF PETITIONS

Application No. 09/341,339

Filed: August 30, 1999

Statements, convention letters and other matters were timely attended to and that status inquiries were made on all cases with no action for more than six months.

In the summer of 2000, I switched from a manual to an electronic system which included entering status inquiry dates as follows:

- when a new application was filed - eighteen months;
- when a filing receipt was received - confirm that a status inquiry was docketed; and
- when an amendment, response or request for continued examination was filed - six months.

Information Disclosure Statements and convention dates were docketed with filing of applications.

Electronic check for filing receipts are periodically made.

This application was filed before the change from manual to electronic so its filing date was not entered into the electronic system to trigger a status inquiry in six months. Had this manual check been retained, this case would have been found manually. Since this case did not receive a filing receipt a status inquiry was not entered for that event either. This case was thus not accessible to the electronic status call-up system.

Application No. 09/341,339

Filed: August 30, 1999

I have since been instructed to review all cases that might have been lost in the process and have done so.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

By: Constance C. Gagnebin  
Constance C. Gagnebin

Date: April 12, 2002

CLG:mes/269480-1

COPY OF PAPERS  
ORIGINALLY FILED



PATENT

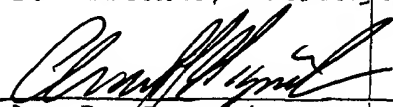
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application : Tadashi Aiura et al.  
Application No. : 09/341,339  
Filed : August 30, 1999  
For : METHOD AND APPARATUS FOR POLISHING  
INNER SURFACE OF CYLINDRICAL PORTION OF  
ELONGATED CYLINDRICAL WORK AND  
ELONGATED CYLINDRICAL WORK

Examiner :  
Attorney's Docket : AK-284XX

Group Art Unit:

\*\*\*\*\*  
I hereby certify that this correspondence is being deposited with  
the United States Postal Service as first class mail in an  
envelope addressed to: Commissioner for Patents, Washington, D.C.  
20231 on 4-18-2

By   
Charles L. Wagnabin III  
Registration No. 25,467  
Attorney for Applicant(s)

\*\*\*\*\*

DECLARATION OF TAKAHIRO HASHIMOTO

Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, the below-signing Takahiro Hashimoto, declare and state as  
follows:

I am manager of the Research and Development Division of  
Nissin Unyu Kogyo Co., Ltd., assignee in the above-identified  
application;

In completing the PCT filing of this case, the incorrect  
translated name (Japanese to English) "Sunao Aiura" for the  
inventor Mr. Aiura instead of the correct translated name "Tadashi

RECEIVED

APR 24 2002

OFFICE OF PETITIONS

1

Application No. 09/341,339  
Filed: August 30, 1999  
Group Art Unit:

Aiura" was given to Akimoto & Co., agent for the applicant Nissin Unyu Kogyo Co., Ltd., when the PCT Application was filed. The PCT Application was filed with the translated English letters of "Sunao Aiura" rather than the correct English form of "Tadashi Aiura".

Tadashi Aiura did not discover the mis-translation until the PCT Application entered the U.S. national phase and he signed the U.S. declaration and assignment.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Nissin Unyu Kogyo Co., Ltd.

By: Takahiro Hashimoto  
Takahiro Hashimoto  
Manager, Research & Development

Date: APR. 5. 2002

CLG:mes/223659





COPY OF PAPERS  
ORIGINALLY FILED


PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Tadashi Aiura et al.  
Application No. : 09/341,339  
Filed : August 30, 1999  
For : METHOD AND APPARATUS FOR POLISHING  
INNER SURFACE OF CYLINDRICAL PORTION OF  
ELONGATED CYLINDRICAL WORK AND  
ELONGATED CYLINDRICAL WORK  
  
Examiner :  
Attorney's Docket : AK-284XX

Group Art Unit:

\*\*\*\*\*  
I hereby certify that this correspondence is being deposited with  
the United States Postal Service as first class mail in an  
envelope addressed to: Commissioner for Patents, Washington, D.C.  
20231 on 4-12-2

By   
Charles L. Gagnon III  
Registration No. 25,467  
Attorney for Applicant(s)

\*\*\*\*\*

DECLARATION OF TADASHI AIURA

Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, the below-signing Tadashi Aiura, declare and state:

I am one of the inventors of U.S. Application No. 09/341,339,  
which is the U.S. national phase of PCT/JP98/04494, and I  
discovered the mis-translated spelling of my name, "Sunao Aiura"  
at the time I signed the U.S. declaration to enter the national  
phase.

RECEIVED

APR 24 2002

OFFICE OF PETITIONS

Application No. 09/341,339

Filed: August 30, 1999

Group Art Unit:

During the prosecution of the PCT in Japan, the documents are written in Japanese Hiragana and Chinese characters. The inventor, after completing the specification, is not required to execute any documentation in English on which he would notice the mis-translated spelling of his name until entering the national phase.

I declare I am a true inventor of the above-identified application, and I did not confirm the English spelling of my name during the PCT prosecution until entering the U.S. national phase, because in the United States the inventor is the applicant, while in Japan, the applicant is the company.

Application No. 09/341,339

Filed: August 30, 1999

Group Art Unit:

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

By: Tadashi Aiura  
Tadashi AiuraDate: APR. 5, 2002

CLG:mes/223826